

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN DIVISION**

CHARLENE MARTINEZ, individually and
on behalf of all others similarly situated,

Plaintiff,

v.

TD BANK USA, N.A., a National Bank,
and TARGET CORPORATION, a
Minnesota corporation,

Defendants.

Case No. 1:15-cv-07712-JBS-AMD

Hon. Jerome B. Simandle

Magistrate Judge Ann Marie Donio

**NOTICE OF MOTION FOR
SUMMARY JUDGMENT**

Motion Date: January 17, 2016

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law in Support of Motion for Summary Judgment, Defendants TD Bank USA, N.A. and Target Corporation shall move the Court before Magistrate Judge Anne Marie Donio at the Mitchell H. Cohen Building & U.S. Courthouse, 4th & Cooper Streets, Camden, NJ 08101, on January 17, 2016, or as soon thereafter as counsel may be heard, for an Order granting Defendants' Motion for Summary Judgment pursuant to Federal Rule of Civil Procedure 56, or in the event that any claims survive summary judgment, striking the class allegations from Plaintiff's First Amended Class Action Complaint, and for such further relief as the Court deems just and proper. The grounds for this Motion are set forth in the Memorandum of

Law, Statement of Undisputed Materials Facts, and accompanying exhibits filed simultaneously herewith.

Dated: November 11, 2016

Respectfully submitted,

TD BANK USA, N.A.
TARGET CORPORATION

By: /s/ Jarrod D. Shaw

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CERTIFICATE OF SERVICE

I hereby certify that on November 11, 2016, I electronically filed the foregoing using the Court's CM/ECF system, which will then send a notification of such filing to all counsel of record.

/s/ Jarrod D. Shaw

Jarrod D. Shaw